

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Takeshi NAKAMURA

Serial No.: 10/585,289

Filed: July 7, 2006

Confirmation No.: 2252

Date: March 30, 2009

Group Art Unit: 1794

Examiner: Camie S. Thompson

For: COMPOSITE MATERIAL AND PRODUCING METHOD THEREFOR

VIA EFS - WEB

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT UNDER 37 C.F.R. §1.116
IN RESPONSE TO FINAL OFFICE ACTION

Sir:

This Amendment Under 37 C.F.R. §1.116 is being filed in response to the final Office Action mailed October 30, 2008 in the above-identified application. An initial "Submission After Final Rejection" was filed on February 13, 2009 (without any claim amendments) with a Petition to extend the response date for one month, i.e., until February 28, 2009. An Advisory Action was thereafter issued on March 5, 2009 by the Examiner, stating that the February 13th response did not place the application in condition for an allowance. Thus, this Amendment is presently being filed, together with a Petition to extend the due date for one additional month, i.e., until March 30, 2009 and a Request for Continued Examination ("RCE"). Reconsideration of the application is respectfully requested.

FEE CALCULATION

Any additional fee required has been calculated as follows:

_____ If checked, "Small Entity" status is claimed.

| NO. CLAIMS AFTER | | HIGHEST NO. PREVIOUSLY | | | | ADDIT. | |
|--|----|---------------------------|----|---------------|---|-----------------------|-----|
| AMENDMENT | | PAID FOR | | EXTRA PRESENT | | RATE | FEE |
| TOTAL | 24 | MINUS | 24 | * = | 0 | X (\$26 SE or \$52) | \$0 |
| INDEP. | 2 | MINUS | 3 | ** = | 0 | X (\$110 SE or \$220) | \$0 |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM | | | | | X | (\$195 SE or \$390) | \$0 |
| TOTAL \$ 0 | | | | | | | |

* not less than 20 ** not less than 3

If any additional payment is required, a check which includes the calculated fee of \$ _____ (OFGS Check No. _____) is attached.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

CONTINGENT EXTENSION REQUEST

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner for Patents is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

SUMMARY OF AMENDMENTS

1. ____ If checked, an abstract (an amended abstract) is submitted herewith.
2. ____ If checked, amendment(s) to the drawings are submitted herewith.
3. ____ If checked, amendment(s) to the specification are submitted herewith.
4. ☒ If checked, amendment(s) to the claims are submitted herewith.